ANNUAL REPORT

OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1851.

BY AUTHORITY.

LANSING:
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1851.

REPORT.

ATTORNEY GENERAL'S OFFICE,
Lansing, Jan. 1, 1852.

To His Excellency, ROBERT MCCLELLAND,
Governor of Michigan:

SIR,—Pursuant to the statute, approved April 8, 1851, I have the honor to submit the following report of the business of this office during the past year.

In consequence of the changes in the organic law of the State, the official correspondence of the office has been largely increased. The numerous and important questions which have arisen under the constitution and laws, touching the powers and duties of the various township and county offices, have rendered this branch of the duties of the office unusually laborious.

In the month of January last, an information was filed against Elisha B. Bassett, on the relation of Eli P. Watson, for exercising the office of County Clerk of the county of Allegan, without any legal warrant. Judgment of ouster was rendered against the respondent at the October term of the Supreme Court, and the relator admitted to the office.

The case of the People against the Macomb County Bank, on a bill filed by the Attorney General, in the Court of Chancery, in 1846, which was argued and submitted in the Wayne Circuit Court, by my predecessor, was decided by Judge Wing, sitting as Chancellor, in the month of February last, and an order entered dismissing the bill and proceedings in the case. From this decision I took an appeal to the Supreme Court, where the case is still pending.

By the direction of the Governor, I assisted at the trial of Isaac H. Bennett, who was indicted in the County Court of Livingston county for the murder of Cornelius H. Bennett. The case was transferred, by the election of the defendant, to the Circuit Court of that county, and was tried before Judge Green, in the month of September last. The defendant was convicted of manslaughter.

Informations have been filed against Marcus H. Miles, on the relation of Smith Falkenburg, for exercising unlawfully the office and franchise of County Treasurer of St. Clair county, and against Duthan Northrop, on the relation of Alfred Weeks, for exercising in like manner the office and franchise of County Clerk of the same county. These cases have not yet been disposed of.

The information filed in Supreme Court during the January term, against the late Sheriff, County Clerk, and Register of Deeds, of Wayne county, who claimed to hold and exercise the respective offices, by virtue of the eighth section of the schedule of the Constitution, were, after argument by counsel upon a case made, decided by the Court against the respondents, and judgment of ouster pronounced against them.

The cases before the Board of State Auditors, in which it has been my duty to appear in behalf of the State, will sufficiently appear from the report of the Board.

The schedule* hereto annexed, marked "A," contains the reports of the Prosecuting Attorneys of the several counties of this State, so far as they have been made to this office.

All of which is respectfully submitted.

I am, sir, very respectfully your obedient servant,

WILLIAM HALE,

Attorney General.

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*See Joint Document, 1852, State Library.